

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

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CASE NO. 11-00543(BKT)

JOSE A. CORREA ORTIZ  
WANDA I SERRANO RAMOS

CHAPTER 13

Debtor(s)

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MOTION TO SUBMIT AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the above named debtors through the undersigned attorney and very respectfully prays and alleges:

1. That debtor herewith submits amended plan dated Amended plan dated March 7, 2011 for the Court's approval.

28 DAYS NOTICE

NOTICE IS HEREBY GIVEN TO ALL PARTIES IN INTEREST: unless a written objection and hearing is requested within twenty eight(28) days this Honorable Court will confirm this amended plan without the need for any further hearing.

WHEREFORE it is respectfully requested that this Honorable Court hold in abeyance confirmation of amended plan dated March 7, 2011 until twenty eight (28) day period for parties in interest to object expires pursuant to Bankruptcy Rule 2002(b)(2) with any other remedy this Honorable Court deems just and appropriate.

In San Juan, Puerto Rico, this March 7, 2011.

I CERTIFY that on this date I sent by electronic mail a true

copy of this motion and Plan to Chapter 13 Trustee, Alejandro Oliveras, Esq., and by regular mail to parties in interest and to creditors as per master address list.

/s/EMILY D. DAVILA RIVERA  
USDC-PR #214503  
WILLIAM DAVILA DE PEDRO, ESQ.  
USDC-PR 128809  
420 PONCE DE LEON  
MIDTOWN SUITE 311  
SAN JUAN, PR 00918  
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princessda@prtc.net

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: CORREA ORTIZ JOSE ANTONIO  
aka JOSE A CORREA ORTIZ  
and  
SERRANO RAMOS WANDA IVETTE  
aka SERRANO RAMOS WANDA I

DEBTOR(S)

BK. CASE # 11-00543

CHAPTER 13

**CHAPTER 13 PAYMENT PLAN**

**NOTICE:** The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty-eight (28) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty-one (21) days from its notification. **This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim.** The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and/or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

- The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
- The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
- ☐ The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: \_\_\_\_\_

☒ **AMENDED PLAN DATED:** MARCH 7, 2011

☒ PRE ☐ POST-CONFIRMATION

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED

**I. PAYMENT PLAN SCHEDULE**

\$	<u>1,500.00</u>	x	<u>12</u>	=	<u>18,000.00</u>
\$	<u>1,900.00</u>	x	<u>12</u>	=	<u>22,800.00</u>
\$	<u>2,200.00</u>	x	<u>36</u>	=	<u>79,200.00</u>
\$	_____	x	_____	=	_____
\$	_____	x	_____	=	_____
TOTAL =				<u>60</u>	<u>120,000.00</u>

Additional Payments:

\$ 0.00 to be paid as LUMP SUM  
within \_\_\_\_\_ with proceeds to come from  
☐ Sale of property identified as follows:

☐ Other: \_\_\_\_\_

Periodic Payments to be made other than, and in addition to the above.

\$ \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

To be made on: \_\_\_\_\_

**PROPOSED PLAN BASE:** \$ 120,000.00

**II. ATTORNEY'S FEES**

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ 5,000.00  
b. Fees Paid (Pre-petition): \$ 1,000.00  
c. R 2016 Outstanding balance: \$ 4,000.00

d. Post Petition Additional Fees: \$ 0.00

e. Total Compensation: \$ 5,000.00

Signed: /s/ CORREA ORTIZ JOSE ANTONIO

DEBTOR

/s/ SERRANO RAMOS WANDA IVETTE

JOINT DEBTOR

**II. DISBURSEMENT SCHEDULE SEQUENCE**

**A. SECURED CLAIMS**

☐ Debtor represents that there are no secured claims.

☒ Secured creditors will retain their liens and shall be paid as follows:

ADEQUATE PROTECTION PAYMENTS CR HARLEY DAVIDSON CRED \$ 100.00

☒ Trustee will pay secured ARREARS:

Cr. <u>SCOTIABANK DE PR</u>	Cr. _____	Cr. _____
# <u>1089</u>	# _____	# _____
\$ <u>4,209.80</u>	\$ _____	\$ _____

☒ Trustee will pay IN FULL Secured Claims

Cr. <u>HARLEY DAVIDSON CRED</u>	Cr. <u>INTERNAL REVENUE SER</u>	Cr. <u>RELIABLE</u>
\$ <u>13,161.27</u>	\$ <u>35,738.96</u>	\$ <u>4,694.30</u>

☐ Trustee will pay VALUE OF COLLATERAL

Cr. _____	Cr. _____	Cr. _____
\$ _____	\$ _____	\$ _____

☐ Secured Creditor's interest will be insured. **INSURANCE POLICY** will be paid through plan:  
Cr. \_\_\_\_\_ Ins Co. \_\_\_\_\_ Premium: \$ \_\_\_\_\_

(Please indicate in "Other Provisions" the insurance coverage period)

☒ Debtor SURRENDERS COLLATERAL to COOP J OBRERO, SCOTIAB CD #1263

☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to:

SCOTIABANK DE PR#1089

**B. PRIORITIES** The Trustee will pay \$507 priorities in accordance with the law. [§1322 (a)(2)]

☒ DEPARTMENT OF TREASURY, INTERNAL REVENUE SERVICE, INTERNAL REVENUE SERVICE

**C. UNSECURED PREFERRED:** Plan ☐ Classifies ☒ Does not Classify Claims.

☐ Class A: ☐ Co-Debtor Claims / ☐ Paid 100% / ☐ "Pay Ahead": \_\_\_\_\_

☐ Class B. ☐ Other Class: \_\_\_\_\_

Cr. _____	Cr. _____	Cr. _____
\$ _____	\$ _____	\$ _____

**D. GENERAL UNSECURED NOT PREFERRED:** (Case Liquidation Value = \$ 0.00)

☐ Will be paid 100% plus \_\_\_\_\_ % Legal Interest. ☒ Will be paid Pro-Rata from any remaining funds

**OTHER PROVISIONS:**

Executory Contract  
BLACK POINT MANAGEMENT  
BRINKS PR  
COOP J OBRERO  
MICROSHOP CORP

DECISION  
Assumed  
Assumed  
Assumed  
Assumed

\* See Attached Continuation Sheet for Additional Information

ATTORNEY FOR DEBTOR: WILLIAM DAVILA DE PEDRO

PHONE: 787 753-2368

**CHAPTER 13 PAYMENT PLAN  
(Continuation Sheet)**

**II DISBURSEMENT SCHEDULE**

**A. ADEQUATE PROTECTION PAYMENTS:**

CR RELIABLE FINANCIAL \$ 100.00

**OTHER PROVISIONS**

Executory Contract

DECISION

UBS FINANCIAL SERVICES

Assumed

UBS FINANCIAL SERVICES

Assumed

ATTORNEY'S FEES TO BE PD FIRST TOGETHER WITH ADEQ PROTECTION PAYMENTS TO RELIABLE & HARLEY DAVIDSON.

ADEQ. PROT. TO RELIAB. FINANCE \$100. X 3; ADEQ. PROT. HARLEY DAVIDSON \$100. X 3.

NO EMA PAYMENTS

RELIAB. FINANCE PROVIDED INS BY EASTERN AMERICA THRU PLAN AT MD (4-15-011); \$49. X 19 MO.= \$931.  
HARLEY DAVIDSON PROVIDED INS. AT MD(9-8-012) DIRECTLY BY DEBTOR.

TAX REFUNDS TO BE PD. TO PLAN; PLAN BASE SHALL BE DEEMED ACCORDING TO SUMS RCVD.; IF DEBTORS NEED TO  
USE TAX REFUNDS COURT AUTHORIZATION TO BE REQUESTED PRIOR TO USE.

\*\*SCOTIABANK #1089 BALLOON PAYMENT, ESTIMATED \$42,000., TO BE REFINANCED DIRECTLY BY DEBTOR AT MD  
(6-30-2011); PAYMENT ESTIMATED AT \$578.00 MO.

\*\*\*\*ACCT. RCV. EURO KOOL \$205,500., FROM JUDGMENT ENTERED, NON-EXEMPT SUMS RCVD. DURING LIFE OF  
PLAN TO BE PD. TO PLAN. ATTORNEY, JOHN PRORRATA, TO FILE APPLICATION TO EMPLOY SPECIAL COUNSEL  
REGARDING JUDGMENT ENTERED AND COLLECTION OF MONIES.

\*\*\*ACCT. RCV. A.M.A., \$32,000. ANY NON-EXEMPT FUNDS TO BE PD. TO PLAN, ATTY. IN COLLECTION OF MONIES  
TO FILE APPLICATION TO EMPLOY SPECIAL COUNSEL.

CORREA ORTIZ JOSE ANTONIO  
PO BOX 6562  
LOIZA ST  
SAN JUAN PR 00914

SERRANO RAMOS WANDA IVETTE  
PO BOX 6562  
LOIZA ST  
SAN JUAN PR 00914

WILLIAM DAVILA DE PEDRO  
420 PONCE DE LEON  
MIDTOWN SUITE 311  
SAN JUAN PR 00918

AMERICAN EXPRESS  
BANKRUPTCY DIVISION  
PO BOX 1270  
NEWARK NEW JERSEY 07101

BANCO POPULAR DE PR  
BANKRUPTCY DIVISION  
PO BOX 366818  
SAN JUAN PR 00936

CITIFINANCIAL INC  
BANKRUPTCY DIVISION  
PO BOX 70923  
CHARLOTTE NC 28272

DEPARTMENT OF TREASURY  
BANKRUPTCY DIVISION  
PO BOX 9022501  
SAN JUAN PR 00902

FIRSTBANK  
BANKRUPTCY DIVISION  
PO BOX 11865  
SAN JUAN PR 00910

HARLEY DAVIDSON CREDIT  
8529 INNOVATION WAY  
CHICAGO IL 60682

INTERNAL REVENUE SERVICE  
PO BOX 7346  
PHILADELPHIA PA 19101

INTERNAL REVENUE SERVICE  
PO BOX 21126  
PHILADELPHIA PA 19114

JOHNSON CONTROLS INC  
SABANA ABAJO INDUSTRIAL PARK  
1405 CALLE RIO DANUBIO  
CAROLINA PR 00982

JOSE ARCE DIAZ ESQ  
PO BOX 820  
GUAYNABO PR 00970

RELIABLE FINANCIAL  
BANKRUPTCY DIVISION  
APARTADO 21382  
SAN JUAN PR 00928

SCOTIABANK DE PR  
BANKRUPTCY DIVISION  
PO BOX 362649  
SAN JUAN PR 00936

TECHNICAL DISTRIBUTORS  
PO BOX 3826  
GUAYNABO PR 00970

TRANE PR  
PO BOX 9000  
SAN JUAN PR 00908

TRANSWORLD SYSTEM  
27 GLEZ GIUSTI 601  
GUAYNABO PR 00968